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784-22Certificate of Mailing: Date of Deposit: July 8, 2002

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to: BOX RCE, Assistant Commissioner for Patents, Washington, D.C. 20231.

Mary Jane DiPalma

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: H. Robert Horvitz et al.

Art Unit: 1642

Serial No.: 09/087,136

Examiner: K. Canella

Filed: May 28, 1998

Customer No.: 21559

Title: NUCLEIC ACIDS ENCODING LIN-37 AND USES THEREOF

BOX RCE

Assistant Commissioner for Patents
Washington, D.C. 20231REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114

Applicant hereby requests continued examination of the above-referenced application under 37 C.F.R. § 1.114. The application is a non-provisional application that was filed after June 8, 1995.

This request is being submitted after the filing of a Notice of Appeal and is considered a request to withdraw the appeal and to reopen prosecution.

Enclosed are:

a Supplemental Reply to the Final Office Action, and

a Declaration of H. Robert Horvitz, and

a Petition for Extension of Time.

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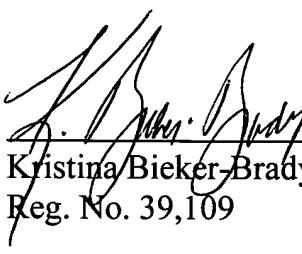
Enclosed is a check for \$370.00 in payment of the petition fee as set forth in 37

C.F.R. § 1.17 (e).

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: July 8, 2002


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PATENT TRADEMARK OFFICE



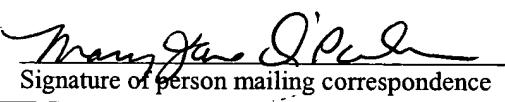
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: H. Robert Horvitz et al.

Art Unit: 1643

#27 KD

Serial No.: 09/087,136

Examiner: Karen Canella

7-24-02

Filed: May 28, 1998

Customer No.: 21559

Title: NUCLEIC ACIDS ENCODING LIN-37 AND USES THEREOF

Assistant Commissioner for Patents
Washington, DC 20231

SUPPLEMENTAL REPLY

In reply to the Examiner's action, mailed March 26, 2002, applicants submit the Declaration of Dr. H. Robert Horvitz and the following remarks.

REMARKS

Claims 1, 4-7, 10-18, and 25 are pending. Claims 1, 4-7, 10-18, and 25 are rejected under 35 U.S.C. § 101. These rejections are addressed below.